



DOCKET NO: 211141US2PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

HIROSHI HATA, ET AL.

SERIAL NO: 09/889,141

FILED: OCTOBER 19, 2001

FOR: POWER OUTPUT APPARATUS,
HYBRID VEHICLE, AND METHOD OF
CONTROLLING THE HYBRID VEHICLE

:

: EXAMINER: BOTTORFF, C.

:

: GROUP ART UNIT: 3618

:

PETITION UNDER 37 C.F.R §1.181(a) (2)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

Applicants herein petition the Commissioner to invoke his supervisory authority to require the Examiner to consider the prior art cited in the Information Disclosure Statement filed on December 11, 2002.

An Information Disclosure Statement in conformity with the requirements of 37 C.F.R. §1.97-1.98 was filed on December 11, 2002. A copy of the Information Disclosure Statement, the cited prior art and a date-stamped filing receipt are attached. The above-referenced application has now been allowed. The prior art cited in the Information Disclosure Statement was never acknowledged or made of record by the Examiner.

COPY

Although Applicants do not believe that any fee is required for the present petition,
any required fee should be charged the undersigned attorneys account no. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

Norman F. Oblon
Attorney of Record
Registration No. 24,618

Robert T. Pous
Registration No. 29,099

I:\USER\CFDAV\PETITIONS\211141US.1.181PET.DOC

COPY



FW
OSMM&N File No. 211141US2PCT

Serial No. 09/889,141

Dept.: PP

By: MJS/shb

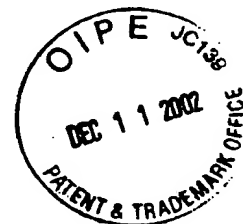
In the matter of the Application of: Hiroshi HATA, et al.

For: POWER OUTPUT APPARATUS, HYBRID VEHICLE, AND METHOD OF CONTROLLING THE HYBRID VEHICLE

Due Date: 12/19/02

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Information Disclosure Statement
- Cited References (2)
- JAPANESE Office Action
- PTO-1449



COPY



Docket No.: 211141US2PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/889,141
Applicants: Hiroshi HATA, et al.
Filing Date: October 19, 2001
For: POWER OUTPUT APPARATUS, HYBRID
VEHICLE, AND METHOD OF CONTROLLING THE
HYBRID VEHICLE
Group Art Unit: 3618
Examiner: BOTTORFF, C.

SIR:

Attached hereto for filing are the following papers:

PETITION UNDER 37 C.F.R. 1.181/with attachments

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier
Registration No. 25,599

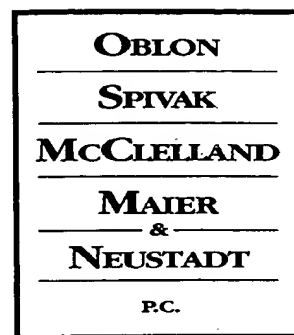
Robert T. Pous
Registration No. 29,099

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A.
TELEPHONE: 703-413-3000 FACSIMILE: 703-413-2220 WWW.OBLON.COM



ATTORNEYS AT LAW

GREGORY J. MAIER
(703) 413-3000
GMAIER@OBLON.COM

ROBERT T. POUS
(703) 413-3000
RPOUS@OBLON.COM

COPY

Docket No. 211141US2PCT/shb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hiroshi HATA, et al.

SERIAL NO: 09/889,141

GAU: 3619

FILED: October 19, 2001

EXAMINER:

FOR: POWER OUTPUT APPARATUS, HYBRID VEHICLE, AND METHOD OF CONTROLLING THE HYBRID VEHICLE

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references cited in the attached Japanese Office Action listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 03/02)

Marvin J. Spivak
Registration No. 24,913

COPY

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 211141US2PCT		SERIAL NO. 09/889,141	
<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; line-height: 100px; font-size: 24px; font-weight: bold;"> OFFICE SEP 13 2004 </div> </div>				APPLICANT Hiroshi HATA, et al.			
				FILING DATE October 19, 2001		GROUP 3619	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	AA	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	9-222064	08/26/97	JAPAN (with English Abstract)			X
	AP	9-308012	11/28/97	JAPAN (with English Abstract)			X
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW						
	AX						
	AY						
	AZ						<input type="checkbox"/> Additional References sheet(s) attached
Examiner					Date Considered		
<small>*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							

COPY



OSMM&N File No. 211141US2PCT
Serial No. 09/889,141

Dept.: E/M

By: GJM/RTP/bhi

In the matter of the Application of: Hiroshi HATA, et al.

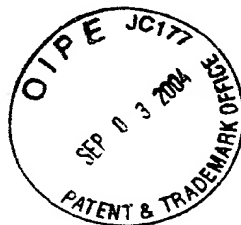
For: POWER OUTPUT APPARATUS, HYBRID VEHICLE, AND METHOD OF
CONTROLLING THE HYBRID VEHICLE

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereo

- Dep. Acct. Order Form
- Letter (Cover)
- Petition Under 37 C.F.R. 1.181(a)(2) w/attachments
- Copy of Information Disclosure Statement filed 12-11-02
- Copy of Filing Receipt filed 12-11-02

I:\cfdav\petitions\211141.fr



COPY